

OPEN SESSION MINUTES
MINUTEMAN REGIONAL VOCATIONAL TECHNICAL SCHOOL DISTRICT
REGULAR SCHOOL COMMITTEE MEETING
APRIL 14, 2015 PM 6:30 PM
PAUL REVERE ROOM, MINUTEMAN HIGH SCHOOL

Present:

Jeff Stulin, Chair (Needham)	Jack Weis (Belmont)
Nancy Banks, Secretary (Acton)	Dave Horton (Lexington)
Alice DeLuca (Stow)	Mary Ellen Castagno (Wayland) (left at 7:40 PM)
Ford Spalding (Dover)	Doug Gillespie (Weston)
Cheryl Mahoney (Boxborough)	Sharon Antia (Lincoln)
Judy Taylor (Carlisle)	Sue Sheffler (Arlington) (left at 9:20 PM)

Absent: Carrie Flood, Vice Chair (Concord), David O'Connor (Bolton), Dave Manjarrez (Sudbury)

Also present: Ed Bouquillon, Kevin Mahoney, Jack Dillon, Elizabeth Rozan, Diane Dempsey, Steve Sharek, Nancy Pierce, Jennifer Leone, Ed Lenox

1. CALL TO ORDER: OPEN SESSION

The Chair called the meeting to order at 6:31 PM.

2. PUBLIC COMMENT

There was no Public Comment.

3. STUDENT REPORT

There was no Student Report.

4. CHAIR'S REPORT

a. Attendance

The Chair expressed his concerns about attendance, noting that 9 members are needed for a quorum, and 11 for votes requiring 2/3. He pointed out that at the last meeting, no business could be conducted because there was no quorum. He requested notification if unable to attend, and a reconsideration of commitment if a member's schedule conflicts with School Committee meetings.

b. Membership

The Chair pointed out recent changes on the Committee. With thanks to Kemon Taschioglou for his service, he introduced Sharon Antia, his replacement from Lincoln. He noted that a resignation was received from Dan Mazzola of Lancaster, and a possible replacement, Jennifer Leone, was in the audience. He also noted that Nancy Banks was resigning as well, due to a move to Vermont, and he read a statement from Carrie Flood (not present due to Town Meeting), highlighting Ms. Banks' assets to the Committee, including her intelligence and level-headed approach to conflict.

5. SUPERINTENDENT'S REPORT

a. Update on the Town Meeting Results

The Superintendent gave an update on the most recent Town Meeting, and pointed out that Wayland passed the vote to withdraw from the Minuteman district. Ed Lenox explained the process under Section 9 of the original Regional Agreement, and clarified that the next step is that Wayland would notify the School Committee, and the School Committee would compose amendment language, setting out terms and conditions, then this would be sent to the 16 towns for action when they are able to take it. He noted that no time frame is specified, but that it requires an affirmative vote. Dr. Bouquillon also clarified that attempts were made to reach out to Wayland, but that Wayland moved forward with their own vote. Positioning in Boxborough was also mentioned.

b. Update on Regional Agreement

The Superintendent explained that earlier in the year, the School Committee voted that he establish an advocacy group to approach those towns that hadn't passed the Revised Regional Agreement. He explained that meetings of this group resulted in a proposed withdrawal option, with the language developed by Ed Lenox, and approved by DESE's legal department. He referenced the material at the table, presented for discussion (Attachment A). He pointed out that if the School Committee were to approve it, some towns could get it on the warrant for this Town Meeting.

Attorney Lenox explained the two proposed amendments (one related to Section III, the location of the School, and the other Section IX, related to withdrawal). He explained possible timeframes. Questions raised included why this was more attractive, how towns would know how to vote, whether language in the document is specific enough to protect students' Ch. 74 opportunities and if it applies to certain towns, and what assurances the proposed amendments would seem to provide those towns considering withdrawing from the District.

Concern was raised about the process involved in Wayland, and that this was not appealing, not collaborative, and after the 11th hour. Frustration with seeing this for the first time, the possible need for a special meeting to vote it another time, the fact that this is the middle of Town Meeting with warrants already in place, the conflict with the Regional Agreement issue bumping up against the Spring 2016 Town Meeting and the Town Meeting votes needed for the Building Project were raised. Additional concerns expressed included the probability of this causing confusion, the wrong focus on leaving the district, that IMAs offer a solution, and that the Building Project is the highest priority at this time. Members expressed concern and disagreement with the mechanics of the process.

It was moved (Horton) and seconded (Banks) to consider the proposed motion as presented. It was suggested that perhaps it is time to admit that the capital assessment formula is wrong, and that a patch fix isn't the solution. An additional motion was made (Spalding) and seconded (Castagno) to table the proposed motion indefinitely.

The Superintendent expressed concern that the current revisions to the Regional Agreement (3.11.14 version) are dead, and will not pass in all 16 towns. He explained that last year 10 towns passed it, that the 6 remaining communities have been in discussion with the Advocacy Group, and this is the result; politically this signals to those towns that Minuteman has heard their concerns and made an attempt to ameliorate them. He referenced the possibility of a District Wide Ballot option, and Attorney Lenox explained the details of how this works, with aggregated votes related to incurring debt.

A motion was made (Spalding) to move the question, and the following vote was taken:

ACTION 2015 #18

To move the question and end debate

Vote: 8 in favor, 3 opposed, 1 abstention

A vote on the revised motion was taken as follows:

ACTION 2015 #19

Moved (Spalding) and seconded (Castagno)

To table the proposed motion indefinitely

Vote: 6 in favor, 3 opposed, 3 abstentions

Concern was expressed again that the Regional Agreement was muddying the waters, and that at some point the School Committee must state that they are no longer pursuing revisions, and take the Regional Agreement Amendments off the table. Support for the building project was expressed by Weston's representative. The new Lincoln representative commended the group for dealing with a difficult topic respectfully. She suggested that it is important to rethink strategy, given the capital realities. Other opinions expressed included the expense of a special Town Meeting, and the probable need for a debt exclusion override.

[At 7:40 PM, Ms. Castagno left the meeting.]

c. Update on Establishing a 501(c)(3)

Mr. Mahoney explained that in response to the concerns expressed at the last meeting, Attorney Lenox was available to explain the details of establishing a 501(c)(3) and to answer any questions the members might have on the draft Articles of Incorporation and Bylaws presented in the packet.

Attorney Lenox explained how these nonprofit corporations are established as support organizations, and the involvement of IRS to award tax-exempt status. The length of the process, controls by directors, School Committee involvement, terms of office, and matching fund options were discussed. To the concerns about School Committee involvement, Attorney Lenox explained that the School Committee could appoint directors, but the entity is responsible for itself. He also noted that both School Committee members and administrators could serve as directors of the 501 (c)(3). He underscored the importance of avoiding any conflict of interest, or appearance of conflict of interest, and that this could be done by having fewer than a majority of School Committee members on the board, and that having administrators serve as directors would not present a legal issue. However, he explained more typically, administrators do not serve. He noted that given the concerns about School Committee and administrator involvement, the question would be whether the School Committee wants a School Committee member or administrator to serve as a director, and what level of involvement they feel is necessary. Members with experience in their towns stressed the importance of keeping the fiduciary responsibility clear, that it is best to keep roles separate, and to establish the 501(c)(3) as an outside group with no School Committee or administrator involvement. Concern was raised that appointing administrators could be problematic, given that the wording in the draft suggests that administrators could then appoint more administrators as directors, which would encourage a potential conflict of interest. Attorney Lenox offered reassurance that the language could easily be revised to eliminate this concern. An additional concern was expressed regarding the section about director resignation, which could leave room for mass resignation. The number of directors listed and their initial roles to get the entity started were also cited as concerns. Typical initiation by a citizen group, bonding for directors, keeping the composition limited to 5 directors, a grantwriter, a development direct/fundraiser, a CPA, and people with high energy were additional suggestions offered.

Attorney Lenox confirmed that no vote of the School Committee was required to move forward. The Chair summarized that there was support for it, and that the School Committee appreciated receiving the materials in advance to review and to offer input. The Chair asked that members send any additional suggestions to Ms. Rozan.

d. Update on Permanent Principal Search Process

The Superintendent explained that the search yielded 34 candidates, who were narrowed to 14, then 6 were invited to interview. Of this group of 6, 4 were selected to spend ½ day at Minuteman on the 16th and the 29th, to meet with him, students, and to tour the building. On the 29th, at 5:30 pm, there will be an Open Forum moderated panel discussion with all the candidates. It was pointed out that if School Committee members plan to attend, they should let Ms. Rozan know.

e. School Choice

The Superintendent explained changes in state regulations regarding the exploratory option for 8th graders, and the current thinking of perhaps offering choice to students for the 9th grade only. He also noted efforts underway to rescind the vote that negatively impacts 8th graders. The following vote was then taken:

ACTION 2015 #20

Moved (Spalding) and seconded (DeLuca)

Not to participate in the School Choice Program for 2015-16, and to inform DESE of this decision by the June 1 deadline

Vote: 10 in favor, 1 abstention

f. MSBA Update: 2nd Amendment to Feasibility Study

As information, the Superintendent explained that he received from MSBA a 2nd Amendment to the Feasibility Study formalizing the June 30, 2016 extension. He is in communication with them regarding this letter and also is in process of drafting a letter to them affirming the 628 design enrollment. He also explained that former Sudbury Town Manager, Maureen Valente, is now serving as CEO of MSBA, overseeing the Executive Director, Jack McCarthy.

6. PRINCIPAL'S REPORT

a. Overnight Field Trip

Mr. Dillon presented this item, noting that it is the same item that was in the last packet. It was confirmed that it meets all policy requirements, and the following vote was taken:

ACTION 2015 #21

Moved (DeLuca) and seconded (Spalding)

To approve the Skills USA Overnight Field Trip to the State Leadership Conference to be held from 4.30.15-5.2.15 in Marlboro and Upton, MA

Vote: Unanimous

b. Update on Student Handbook Revisions (Social Media Policy) (SC Vote by 6.30)

Mr. Dillon then called attention to the materials at the table, describing the update to the Student Handbook for 2015-16, specifically related to the Social Media Policy (Attachment B). A request was made for the old version for comparison. Given that the vote on this is not needed until 6.30.15, it was agreed that both versions would be in the packet for a vote next time.

7. ASSISTANT SUPERINTENDENT REPORT

Given the need for 11 votes on the FY 16 Budget Update, the Chair suggested that the items be reordered.

a. FY 16 Budget Update: Revision to FY 16 Revenue Plan and Town Assessments

Mr. Mahoney reiterated the details on this from last time; he noted that the Finance Subcommittee has reviewed both modified documents, and that towns did receive the assessments. For the benefit of the new member, he explained what E&D is, and the Chair noted that adjustments to the budget occur every year, since our budget is developed before the governor approves the state budget. The following vote was then taken:

ACTION 2015 #22

Moved (DeLuca) and seconded (Spalding)

To recertify the approval of the FY 16 Budget v. 5 and the FY 16 Town Assessments v. 5, modified as a result of the Ch. 70 and Regional Transportation reimbursement numbers recently released in the Governor's state budget

Vote: Unanimous

b. Auditor Contract

Mr. Mahoney explained that while there was consensus to award the contract to Melanson Heath, upon receiving it, he realized that the School Committee retains the services, and a vote was needed. He explained the contract fees (\$30K for FY 15, \$31K for FY 16, and \$32K for FY 17, with an additional amount for student activity accounts). The following vote was then taken:

ACTION 2015 #23

Moved (DeLuca) and seconded (Spalding)

To authorize the awarding of a 3 year continuation contract to Melanson Heath for Auditing Services

Vote: Unanimous

The contract is found as Attachment C.

c. Bid Results: Electric, Gas, and School Bus Transportation

As informational, he reviewed the bid results for the electricity supplier and for the natural gas supplier. He noted the award of an electricity supply contract for a term of 17 months to Constellation NewEnergy for \$.08810/kwh., and a natural gas supply contract for a term of 18 months to Spark Energy for \$6.82/decatherm.

He then presented the bid results for School Bus Transportation, recommending awarding to C&W Transportation a 3year contract with two one-year extensions. The process that involved revising the model used, the number of bids received, the time frame required to consider the geographical distance of the district's needs, the 9.5% increase, and the gas floor were discussed. That C&W services have been satisfactory and exemplary in terms of

cooperation and flexibility in service to students, the prevailing wage, wifi on the buses, the depreciation of vehicles, and the comparative range of increases were noted. Whether it would make sense to redo the bid, or to award it for one year were additional items discussed. The following vote was then taken:

ACTION 2015 #24

Moved (Banks) and seconded (Spalding)

To award a three year contract for School Bus Transportation services under Bid #15-08 to C&W Transportation Inc. in the amount of \$4,740,303.45 for the period July 1, 2015 and ending June 30, 2018. Further, the district retains the exclusive right to exercise its option to extend the contract from July 1, 2018 to June 30, 2019 in the amount of \$1,636,291.49, and from July 1, 2019 to June 30, 2020 in the amount of \$1,685,035.65.

Vote: Unanimous

The contract is found as Attachment D.

d. Review of FY 15 3rd Q. Financial Statements

Mr. Mahoney reviewed the FY 15 Q3 Financial Statements, noting the details of the FY 15 Revenue Plan, Budget vs. Actual as of 3.31.15. He pointed out the deficit in Prior Year Tuition and administrative holds that he has put in place to offset them. He discussed the 9 cuts, and reviewed the detail on the expenditure report. Federal aid due to snowstorms and following up on the nurse position were also discussed. In the Revolving Funds, he discussed the deficit in the post graduate account, and noted options for balancing this out. He referred to ways he is looking at Ch. 70 aid, that includes post graduates as part of the foundation budget calculation. He also addressed the operating deficit in the restaurant, the store and the bakery and noted that he is reviewing these accounts so that they don't have a negative impact.

e. Early Retirement Incentive Notification

Mr. Mahoney also referred to the Early Retirement Notification Incentive for all staff (Attachment E). He reviewed the details of this plan, which was developed to begin to address the 628 student issue and its impact on staffing, and in consultation with legal counsel.

8. SCHOOL BUILDING COMMITTEE REPORT

a. Update on Community Presentations

Mr. Spalding noted that to date 10 presentations have been made in the communities. There have been 163 attendees and 87 surveys have been received. He explained that the same presentation was made to the Advisory Council, and he would like it to be made to parents and faculty/staff by the 30th of April. He emphasized that the purpose of the presentations is to get input on the preferred options and to answer questions.

b. Reminder of May, 2015 SC Vote on Preferred Option for recommendation to MSBA

He also explained that the School Building Committee will vote on May 11, 2015 on their recommended preferred option and on May 19, 2015, the School Committee will be voting on the preferred option to recommend to MSBA. MSBA will then select the preferred option at their meeting in July. He commended the members of the School Building Committee and the School Committee and staff for the great job presenting. These meetings have been well attended and well publicized, and there has been very little negative pushback. The presentations should also be on the town websites. He noted that Wayland has still not set a meeting date.

9. SUBCOMMITTEE REPORTS

a. Superintendent Negotiations and Evaluation Subcommittee

Dave Horton reminded people of the May 26, 2015 workshop meeting for School Committee members. He noted that although some members may have attended similar workshops in the past, he urged everyone who can to attend so that the focus can be on how this School Committee can work best as a team.

He then described the process for the Superintendent's evaluation, noting that on April 17, members will get an email with the relevant links to the evaluation survey and the Superintendent's December 2014 and March 2015 progress reports with supporting evidence. The evaluation survey will correspond to the Superintendent's 12 articulated goals, and the process will be open for two weeks. Then members will get copies of their own evaluation of the Superintendent and a compilation of the evaluations submitted by all School Committee members. On the

May agenda, there will be a discussion and consideration of action that includes whether or not to award a salary increase to the Superintendent for FY16, as stipulated in his present contract that says such a decision is to be reached by June 1st. He noted that he very much enjoyed working with Ms. Banks and Mr. O'Connor on this team.

b. Policy Task Force Report

Ms. DeLuca called attention to the 3 policies in the packet, and the following votes were taken:

ACTION 2015 #25

Moved (Spalding) and seconded (Horton)

To approve Policy DBJ, Budget Transfer Authority, for 2nd Reading

Vote: Unanimous

ACTION 2015 #26

Moved (Spalding) and seconded (Banks)

To approve Policy DBI, Budget Implementation, for 2nd Reading

Vote: Unanimous

ACTION 2015 #27

Moved (Spalding) and seconded (Banks)

To approve Policy DB, Annual Budget, for 2nd Reading

Vote: Unanimous

10. SECRETARY'S REPORT

a. Minutes

Ms. Banks called attention to the sets of minutes in the packet. She noted that she received a minor amendment for the minutes of 2.24.15, and the following votes were taken:

ACTION 2015 #28

Moved (Spalding) and seconded (DeLuca)

To approve the Open Session Minutes of 2.24.15, as amended

Vote: 7 in favor, 4 abstentions

It was pointed out that the 3.12.15 meeting was a special meeting, not a regular meeting. This amendment was noted.

ACTION 2015 #29

Moved (Spalding) and seconded (Horton)

To approve the Open Session Minutes of 3.12.15, as amended

Vote: 8 in favor, 3 abstentions

ACTION 2015 #30

Moved (Spalding) and seconded (Weis)

To approve the Open Session Minutes of 3.24.15

Vote: 6 in favor, 5 abstentions

[Ms. Sheffler left the meeting at 9:20 PM.]

11. POSSIBLE EXECUTIVE SESSION

a. Minutes

The Chair noted the need for an Executive Session to review minutes, and the following roll call vote was taken:

ACTION 2015 #31

Moved (Spalding) and seconded (Horton)

To enter Executive Session Pursuant to MGL Ch. 30A, S. 22 (f) to review, amend, finalize and approve minutes from Executive Sessions of the Committee held on 7.8.14, 2.24.15, and 3.12.15, and to determine whether continued non-disclosure of such minutes is appropriate, with Ms. Rozan remaining, and not to return to Open Session.

Antia	yes	Stulin	yes
Gillespie	yes	DeLuca	yes
Horton	yes	Spalding	yes
Weis	yes	Mahoney	yes
Banks	yes	Taylor	yes

Vote: Unanimous

12. ADJOURNMENT

The meeting adjourned from the Executive Session at 9:30 PM.

Respectfully submitted,

Elizabeth Rozan
District Assistant

Nancy Banks
Secretary

ATTACHMENTS TO THE MINUTES OF 4.14.15

- A. Draft Regional Agreement Materials: Proposed Amendments to Sec. III and IX, and Proposed Motion
- B. Draft Student Handbook Amendment (Social Media Policy)
- C. Approved Melanson Heath Contract
- D. Approved C&W Transportation Contract
- E. Early Retirement Notification Incentive